

IFW

Docket No. 4320C1

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

WOUDENBERG et al.

Serial No.: 10/731,420

Filed: December 8, 2003

For: **HIGH DENSITY ELECTROPHORESIS  
DEVICE AND METHOD**

Confirmation no. 3941

) Group Art Unit: 1753  
)

) Examiner: To be assigned  
)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

November 5, 2004

Date of Deposit

Cheri Gomez

Name of Depositing Party

*Cheri Gomez*  
Signature of Depositing Party

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO-1449) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

(a) ☐ accompanies a new patent application submitted herewith.

(b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.

(c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.

- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.
- (e) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**
- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO/SB/08A which are not U.S. Patents are supplied herewith:

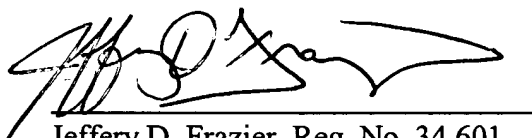
☒ each ☐ none ☐ only those listed below:

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR §1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: Nov. 1, 2004



Jeffery D. Frazier, Reg. No. 34,601  
Attorney for Applicants

**Correspondence Address**

Customer Number 22896  
APPLERA CORPORATION  
Applied Biosystems Division  
850 Lincoln Centre Drive  
Foster City, CA 94404  
(650) 638-6722 (Phone)  
(650) 638-6677 (Fax)

Please type a plus sign (+) inside this box. → +

1PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Application Number</td> <td>10/731,420</td> </tr> <tr> <td>Filing Date</td> <td>December 8, 2003</td> </tr> <tr> <td>First Named Inventor</td> <td>Timothy M. Woudenberg</td> </tr> <tr> <td>Group Art Unit</td> <td>1753</td> </tr> <tr> <td>Examiner Name</td> <td>To be assigned</td> </tr> <tr> <td>Attorney Docket No.</td> <td>4320 C1</td> </tr> </table>		Application Number	10/731,420	Filing Date	December 8, 2003	First Named Inventor	Timothy M. Woudenberg	Group Art Unit	1753	Examiner Name	To be assigned	Attorney Docket No.	4320 C1
Application Number	10/731,420														
Filing Date	December 8, 2003														
First Named Inventor	Timothy M. Woudenberg														
Group Art Unit	1753														
Examiner Name	To be assigned														
Attorney Docket No.	4320 C1														
Sheet	1	of	2												

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1	4,374,723		Vesterberg	02-22-1983	
	2	4,670,119		Hurd	06-02-1987	
	3	5,483,075		Smith et al.	01-09-1996	
	4	5,858,804		Zanzucchi et al.	01-12-1999	
	5	5,872,010	A	Karger et al.	02-16-1999	
	6	6,013,513		Reber et al.	01-11-2000	
	7	6,100,535	A	Mathies et al.	08-08-2000	
	8	6,126,804	A	Andresen	10-03-2000	
	9	6,132,579		Edwards et al.	10-17-2000	
	10	6,143,152	A	Simpson et al.	11-07-2000	
	11	6,207,031		Andourian et al.	03-27-2001	
	12	6,319,469		Mian et al.	11-20-2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	13	WO	83/01906	A1	Ledley, Robert	06-09-1983		
	14	WO	95/06508	A1	Burd, Tammy L.	03-09-1995		
	15	WO	95/06870	A1	Schembri, Carol	03-09-1995		
	16	WO	96/04547	A1	Ramsey, J. Michael	02-15-1996		
	17	WO	99/39193	A1	Mathies et al.	08-05-1999		
	18	WO	99/24827	A1	Simpson et al.	05-20-1999		
	19	EP	0 153 017	B1	Lovegrove, Peter Colin	06-24-1987		
	20	EP	0 376 611	A2	Kovacs et al.	07-04-1990		
	21	EP	0 376 611	A3	Kovacs et al.	07-04-1990		

Examiner Signature	Date Considered
--------------------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 73876\_1

Please type a plus sign (+) inside this box. → ☐

1PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>Substitute for form 1449A/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		<b>Application Number</b>	10/731,420		
		<b>Filing Date</b>	December 8, 2003		
		<b>First Named Inventor</b>	Timothy M. Woudenberg		
		<b>Group Art Unit</b>	1753		
		<b>Examiner Name</b>	To be assigned		
<b>Sheet</b>	2	<b>of</b>	2	<b>Attorney Docket No.</b>	4320 C1

<b>OTHER ART - NON PATENT LITERATURE DOCUMENTS</b>			
<b>Examiner Initials*</b>	<b>Cite No.<sup>1</sup></b>	<b>Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.</b>	<b>T<sup>2</sup></b>
	22	SIMPSON et al., "High-Performance Microfabricated Capillary Array Electrophoresis Systems for DNA Analysis," <i>SPIE</i> , Vol. 3258, pp. 170-180, (1998).	
	23	FREEMANTLE, "Downsizing Chemistry - Chemical Analysis and Synthesis on Microchips Promise A Variety of Potential Benefits," <i>Chemical &amp; Engineering News</i> , pp. 27-36, February 22, 1999.	
	24	International Search Report from International Application no. PCT/US00/19265 dated 20 March 2001.	

<b>Examiner Signature</b>		<b>Date Considered</b>	
-------------------------------	--	----------------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. 73876\_1